

CITY OF IDAHO FALLS, IDAHO
COUNCIL MEETING AGENDA
REGULAR MEETING

Thursday, January 22, 2015

7:30 p.m.

COUNCIL CHAMBERS
680 PARK AVENUE

The Mayor, City Council, and Staff welcome you to tonight's meeting. We appreciate and encourage public participation. If you wish to comment on a matter that is NOT on the Agenda, you should comment during Agenda Item Number 3. If you do not know whether the Mayor will allow comments on an Item on tonight's Agenda (other than during a public hearing), your comments should be made during Agenda Item Number 3. An amendment to this Agenda may be made upon passage of a motion that states the reason for the amendment and the good faith reason that the Agenda item was not included in the original Agenda posting. Note: Items listed under "ACTION" in this agenda are potential outcomes; however, these matters have not yet been decided. City Council Meetings are live streamed at www.idahofallsidaho.gov, then archived. Thank you for your interest in City Government.

1. Call to Order and Roll Call.

2. Pledge of Allegiance.

3. Public Comment and Mayor's Response Time (Limit 15 Minutes): *This is the opportunity for members of the public to speak to the City Council regarding matters that are NOT on the Agenda; NOT noticed for a public hearing; NOT currently pending before the Planning Commission or Board of Adjustment; NOT the subject of a pending enforcement action; and NOT relative to a City personnel matter. If you want to speak, please state your name and address for the record and please limit your remarks to three (3) minutes. The Mayor and/or staff may respond to comments from a previous meeting. NOTE: The Mayor may exercise discretion to decide if and when to allow public comment on an Agenda Item that does not include a public hearing. If the Mayor determines that your comments may be made later in the meeting, she will let you know when you may make your comments.*

4. CONSENT AGENDA: Any item will be removed from the Consent Agenda at the request of any member of the Council and that item will be considered separately later. Approval by roll call vote:

a. Items from the City Clerk:

- 1.** Approval of Minutes from the December 18, 2014 (Idaho Falls Power Board Meeting), the January 5, 2015 Council Work Session, and the January 8, 2015 Regular Council Meeting.
- 2.** Approval of License Applications, all carrying the required approvals.
- 3.** Request for Council ratification for the publication of legal notices calling for public hearings on January 22, 2015.

b. Items from the Airport Division:

1. Request for approval of the Airport Ground Lease Agreement between the City of Idaho Falls and Doug Hilborn located at 1845 Foote Drive and authorization for the Mayor and City Clerk to execute the necessary documents. The City Attorney has prepared and reviewed said Lease Agreement.
2. Request for approval of the 2015 Annual Loan Renewal Agreement with the National Museum of the United States Air Force – Static Display Program for the loan property of the F86L Aircraft located at the Idaho Falls Regional Airport, and authorization for the Mayor to execute the necessary documents
3. Request for approval of the On-Airport Auto Rental Concession Agreement between the City of Idaho Falls and Avis/Budget Car Rental, LLC, and authorization for the Mayor and City Clerk to execute the necessary documents. The City Attorney has reviewed said Agreement.
4. Request for approval of the On-Airport Auto Rental Concession Agreement between the City of Idaho Falls and Overland West Inc. (Hertz Car Rental), and authorization for the Mayor and City Clerk to execute the necessary documents. The City Attorney has reviewed said Agreement.
5. Request for approval of the On-Airport Auto Rental Concession Agreement between the City of Idaho Falls and CORPAT, Inc. (Alamo/National Car Rental), and authorization for the Mayor and City Clerk to execute the necessary documents. The City Attorney has reviewed said Agreement.
6. Request for approval of the On-Airport Auto Rental Concession Agreement between the City of Idaho Falls and Enterprise Rent-A-Car of Utah LLC, and authorization for the Mayor and City Clerk to execute the necessary documents. The City Attorney has reviewed said Agreement.

c. Items from the Idaho Falls Power Division:

1. Request for Council ratification for two purchase and sale agreements for power transactions with Shell Energy. The agreements consist of purchasing 10 megawatts heavy load for August 2015 and selling 10 megawatts light load for July through September 2015. The total from these transactions are \$370,320.00, of which \$204,960.00 are the above stated sale of energy and \$165,360.00 is the August purchase. This bundle of forward power transactions enables the Power Division to better match expected loads with resources.

2. Request for approval of Revision No. 1 to Exhibit D of Transmission Service Agreement No. 10TX-14692 with the Bonneville Power Administration. This revision updates our contract information for the agreement. This revision has been reviewed by the City Attorney. Idaho Falls Power respectfully requests approval of this revision and authorization for the Mayor to execute the necessary documents.

ACTION: To approve all items on the Consent Agenda according to the recommendations presented.

5. **REGULAR AGENDA:**

A. **Municipal Services Division:**

1. **Tabulation and Award of Bid for Bid IF-15-04, One (1) New Generation Step-Up Power Transformer:** This is the Tabulation and Award of Bid for One (1) New Generation Step-Up Power Transformer. It is the recommendation of the Municipal Services Division and Idaho Falls Power to accept the lowest responsive, responsible bid of WEG Electric Corporation to furnish a Voltran Generation Step-up Transformer in the amount of \$150,000.00.

ACTION: To accept the lowest responsive, responsible bid provided by WEG Electric Corporation to furnish a Voltran Generation Step-up Transformer in the amount of \$150,000.00 (or take other action deemed appropriate).

B. **Public Works Division:**

1. **Tabulation and Award of Bid for Well 3 Rehabilitation:** On January 13, 2015, bids were received and opened for the Well 3 Rehabilitation Project. Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, 3H Construction LLC in an amount of \$45,410.00, and authorization for the Mayor and City Clerk to sign the contract documents.

ACTION: To approve the plans and specifications for the Well 3 Rehabilitation; to accept the lowest responsive, responsible bid provided by 3H Construction LLC in the amount of \$45,410.00; and, give authorization for the Mayor and City Clerk to execute the necessary contract documents (or take other action deemed appropriate).

2. **Tabulation and Award of Bid for Well 15 Fencing:** On January 13, 2015, bids were received and opened for the Well 15 Fencing Project. Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, Eagle Rock Blasting Incorporated, in an amount of \$34,245.80, and give authorization for the Mayor and City Clerk to execute the necessary contract documents.

ACTION: To approve the plans and specifications for Well 15 Fencing; to accept the lowest responsive, responsible bid provided by Eagle Rock Blasting Incorporated in the amount of \$34,245.80; and, give authorization for the Mayor and City Clerk to execute the necessary contract documents (or take other action deemed appropriate).

C. **Parks and Recreation Division:**

1. **Tautphaus Park Arcade Concession Agreement Renewal:** This is the Tautphaus Park Arcade Concession Agreement with LOML LLC dba Funland for one (1) year, which has been reviewed and approved by the City Attorney. The Parks and Recreation Division respectfully requests approval of this Agreement and authorization for the Mayor and City Clerk to execute the necessary documents.

ACTION: To approve the Tautphaus Park Arcade Concession Agreement Renewal and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

2. **Change Order No. 1 to Rock Solid Landscaping Design and Construction Professional Services Agreement:** On May 22, 2014, a Professional Services Agreement was entered into between the City of Idaho Falls and Rock Solid Landscaping Design and Construction for construction management services for the Rock Gardens, Phase 2 Project. Due to additional services performed beyond the original scope of work, the Parks and Recreation Division respectfully requests an increase in the contract amount of \$10,560.00, bringing the original award of \$60,000.00 to a total of \$70,560.00, and request authorization for the Mayor and City Clerk to execute the necessary documents.

ACTION: To approve Change Order No. 1 with Rock Solid Landscaping Design and Construction in the amount of \$10,560.00 for construction management services for the Rock Gardens, Phase 2 Project, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

3. **Idaho Service Vending Golf Facility Concession Agreement Amendment:** The Parks and Recreation Division respectfully requests authorization to enter into an Amended Agreement with Idaho Service Vending for the purpose of adding a full liquor license to the Pinecrest location which can then be used at the Sand Creek and Sage Lakes locations as needed for special events through a Liquor Catering Permit. This Agreement has been reviewed and approved by the City Attorney. The Parks and Recreation Division respectfully requests approval of this Agreement Amendment and authorization for the Mayor and City Clerk to execute the necessary documents.

ACTION: To approve the Golf Facility Concession Agreement Amendment with Idaho Service Vending, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

4. **Signage and Wayfinding Master Plan Resolution:** This is a Resolution to approve and adopt the Idaho Falls Signage and Wayfinding Master Plan. The Parks and Recreation Division respectfully requests approval of the Resolution adopting the Idaho Falls Signage and Wayfinding Master Plan, and authorization for the Mayor and City Clerk to execute the necessary documents.

ACTION: To approve the Resolution adopting the Idaho Falls Signage and Wayfinding Master Plan, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

5. **Commercial Watercraft Concession Agreement with Michael Melville:** The Parks and Recreation Division respectfully requests authorization to enter into an Agreement with Mr. Michael Melville for the purpose for permitting a non-exclusive commercial watercraft concession. The agreement is set to commence January 1, 2015 and expire on December 31, 2017. During this time, the concessionaire will maintain all appropriate licenses and authorizations required under the agreement. This agreement has been reviewed and approved by the City Attorney. The Parks and Recreation Division respectfully requests approval of this Agreement and authorization for the Mayor and City Clerk to execute the necessary documents.

ACTION: To approve the Commercial Watercraft Concession Agreement with Michael Melville, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

6. **Idaho Falls Zoo at Tautphaus Park Concession Agreement Renewal with Mountain Foods:** This is the Idaho Falls Zoo at Tautphaus Park Concession Agreement with Mountain Foods. This food and beverage concessions agreement has a one (1) year term, and has been reviewed and approved by the City Attorney. The Parks and Recreation Division respectfully requests approval of this Agreement and authorization for the Mayor and City Clerk to execute the necessary documents.

ACTION: To approve the Idaho Falls Zoo at Tautphaus Park Concession Agreement Renewal with Mountain Foods, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

7. **Professional Services Agreement with Beck and Baird for Landscape Architecture:** This is a Professional Services Agreement for landscape architecture at the U. S. 20 right-of-way at Riverside Drive and Fremont Avenue in an amount not to exceed \$5,350.00. This agreement has been reviewed and approved by the City Attorney. The Parks and Recreation Division respectfully requests approval of this Agreement and authorization for the Mayor and City Clerk to execute the necessary documents.

ACTION: To approve the Professional Services Agreement with Beck and Baird for landscape architecture at the U. S. 20 right-of-way at Riverside Drive and Fremont Avenue in an amount not to exceed \$5,350.00, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

8. **Cooperative Agreement with Idaho Transportation Department for Landscaping Right-of-Way at Riverside Drive and Fremont Avenue:** This is the Cooperative Agreement between the City of Idaho Falls and Idaho Transportation Department for the landscaping of the U. S. 20 right-of-way at Riverside Drive and Fremont Avenue. The agreement has been reviewed and approved by the City Attorney. The Parks and Recreation Division respectfully requests approval of this Agreement and authorization for the Mayor and City Clerk to execute the necessary documents.

ACTION: To approve the Cooperative Agreement with the Idaho Transportation Department for landscaping the U. S. 20 right-of-way at Riverside Drive and Fremont Avenue, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

D. **Idaho Falls Power Division:**

1. **Approve the Usage Monitor Software Access Agreement with Exceleron:** Idaho Falls Power has an existing contract with Exceleron for an energy management web portal that will enable customers to access information on electric use at their premises. Customers will soon be able to voluntarily sign up for this service, if interested. In working with Exceleron to complete this project, we have determined there are efficiency gains to be made to using Exceleron's Meter Data Management (MDM) System. Because we are reaching the end of the contract with our current MDM provider, we are proposing to amend their scope to include providing this service. The City Attorney has reviewed this agreement. Staff recommends that City Council approve that agreement and authorize the Mayor to execute the necessary documents.

ACTION: To approve the Usage Monitor Software Access Agreement with Exceleron, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

E. **Planning and Building Division:**

1. **Professional Services Agreement with Idaho Smart Growth:** This is a Professional Services Contract with Idaho Smart Growth. The contract provides for services to assist with training regarding the area of city impact statute and required process. The training will be held February 4, 2015. The contract was prepared by the Legal Department. Staff respectfully requests approval of the contract.

ACTION: To approve the Professional Services Agreement with Idaho Smart Growth and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

2. **Final Plat and Reasoned Statement of Relevant Criteria and Standards – Parkwood Meadows Addition, Division No. 3, First Amended:** This is an application for a Final Plat and Reasoned Statement of Relevant Criteria and Standards for Parkwood Meadows Addition, Division No. 3, First Amended. The Planning Commission considered the application at its December 2, 2014 Meeting and recommended approval. Staff concurs with this recommendation. The application is now being submitted to the Mayor and City Council for consideration.

ACTION: The following recommendations in sequential order (or take other action deemed appropriate):

a. To approve the Development Agreement for Parkwood Meadows Addition, Division No. 3, First Amended, and give authorization for the Mayor and City Clerk to execute the necessary documents.

b. To approve the Final Plat for Parkwood Meadows Addition, Division No. 3, First Amended, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.

c. To approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Parkwood Meadows Addition, Division No. 3, First Amended to the City of Idaho Falls, Idaho, and give authorization for the Mayor to execute the necessary documents.

3. **Adoption of 2012 International Mechanical Code:** The Idaho Building Code Act requires local jurisdictions to adopt and enforce building codes as adopted by the State of Idaho. The State has now adopted the 2012 International Mechanical Code. Staff recommends approval of the Ordinance adopting the code.

ACTION: To approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).

4. **Adoption of 2012 International Fuel Gas Code:** The Idaho Building Code Act requires local jurisdictions to adopt and enforce building codes as adopted by the State of Idaho. The State has now adopted the 2012 International Fuel Gas Code. Staff recommends approval of the Ordinance adopting the code.

ACTION: To approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).

5. **Adoption of 2012 International Residential Code:** The Idaho Building Code Act requires local jurisdictions to adopt and enforce building codes as adopted by the State of Idaho. The State has now adopted the 2012 International Residential Code. Staff recommends approval of the Ordinance adopting the code.

ACTION: To approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).

6. **Public Hearing – Planned Unit Development Ordinance:** This is the Ordinance revising the Planned Unit Development Sections of the Zoning Ordinance. The Ordinance also moves standards for mobile home parks to the Residential Mobile Home (RMH) Zone within the Zoning Ordinance. The Planning Commission considered the Ordinance at its October 7, 2014 Meeting and recommended approval. Staff concurs with this recommendation.

ACTION: To approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).

7. **Public Hearing – Adoption of 2012 International Energy Conservation Code:** The Idaho Building Code Act requires local jurisdictions to adopt and enforce building codes as adopted by the State of Idaho. The State has now adopted the 2012 International Energy Conservation Code with amendments. Attached is a memorandum from the Idaho Falls Building Official, Reginald Fuller, outlining the Department's recommendation to adopt the code as written, without the amendments. This recommendation was presented in detail at the January 5, 2015 Council Work Session. Staff recommends approval of the attached Ordinance adopting the Code.

ACTION: To approve the Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).

8. Public Hearing – Annexation, Annexation Agreement, Annexation Ordinance, Initial Zoning of R-1, Zoning Ordinance, Final Plat, and Reasoned Statements of Relevant Criteria and Standards, Bristol Heights Addition, Division No. 6: This is the application for annexation, with initial zoning of R-1, annexation agreement, annexation and zoning ordinances, and Reasoned Statements of Relevant Criteria and Standards for Bristol Heights Addition, Division No. 6. The Planning Commission considered the application at its December 2, 2014 Meeting and recommended approval. Staff concurs with this recommendation. The application is now being submitted to the Mayor and City Council for consideration.

ACTION: The following recommendations in sequential order (or take other action deemed appropriate):

- a. To approve the Annexation Agreement for Bristol Heights Addition, Division No. 6, and give authorization for the Mayor and City Clerk to execute the necessary documents.
- b. To approve the Ordinance annexing Bristol Heights Addition, Division No. 6, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).
- c. To approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for Bristol Heights Addition, Division No. 6, and give authorization for the Mayor to execute the necessary documents.
- d. To approve the Ordinance assigning a Comprehensive Plan Designation of Low Density and establishing the initial zoning for Bristol Heights Addition, Division No. 6 as R-1 (Single-Family Residential), under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (*or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance*), that the Comprehensive Plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning, and amendment to the Comprehensive Plan on the Comprehensive Plan and Zoning Maps located in the Planning Office.
- e. To approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R-1 Residence Zone for Bristol Heights Addition, Division No. 6, and give authorization for the Mayor to execute the necessary documents.
- f. To accept the Final Plat for Bristol Heights Addition, Division No. 6, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.
- g. To approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Bristol Heights Addition, Division No. 6, and give authorization for the Mayor to execute the necessary documents.

9. Public Hearing – Annexation Prior to Platting, Annexation Agreement, Annexation Ordinance, Initial Zoning of R-1, Zoning Ordinance, and Reasoned Statements of Relevant Criteria and Standards for a Metes and Bounds Legal Description of 1.887 Acres in Section 15, Township 2 North, Range 37, East of the Boise Meridian: This is the application for annexation prior to platting with initial zoning of R-1 (Single-Family Residential), annexation agreement, annexation and zoning ordinances, and Reasoned Statements of Relevant Criteria and Standards for 1.887 acres located south of 17th North, west of Alayssa Drive, east of 35th West, and north of West Broadway. The Planning Commission considered the application at its December 2, 2014 Meeting and recommended approval. Staff concurs with this recommendation. The application is now being submitted to the Mayor and City Council for consideration.

ACTION: The following recommendations in sequential order (or take other action deemed appropriate):

- a. To approve the Annexation Agreement Prior to Platting for a Metes and Bounds Legal Description of 1.887 Acres in Section 15, Township 2 North, Range 37, East of the Boise Meridian, Bonneville County, Idaho, and give authorization for the Mayor and City Clerk to execute the necessary documents.
- b. To approve the Ordinance annexing a Metes and Bounds Legal Description 1.887 Acres in Section 15, Township 2 North, Range 37, East of the Boise Meridian, Bonneville County, Idaho, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).
- c. To approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of property located generally south of 17th North, west of Alayssa Drive, north of West Broadway, and east of 35th West and give authorization for the Mayor to execute the necessary documents.
- d. To approve the Ordinance assigning a Comprehensive Plan Designation of Low Density and establishing the initial zoning of R-1 (Single-Family Residential) for a Metes and Bounds Legal Description of 1.877 Acres in Section 15, Township 2 North, Range 37, East of the Boise Meridian, Bonneville County, Idaho, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance), that the Comprehensive Plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning, and amendment to the Comprehensive Plan on the Comprehensive Plan and Zoning Maps located in the Planning Office.
- e. To approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R-1 Residence for property located generally south of 17th North, west of Alayssa Drive, north of West Broadway, and east of 35th West, and give authorization for the Mayor to execute the necessary documents.

Motion to Adjourn.

If you need communication aids or services or other physical accommodations to participate or access this meeting or program of the City of Idaho Falls, you may contact City Clerk Rosemarie Anderson at Telephone Number 612-8414 or the ADA Coordinator Lisa Farris at Telephone Number 612-8323 as soon as possible and they will make every effort to adequately meet your needs.